

Notice of Allowability

Application No.

10/074,347

Applicant(s)

TAYLOR ET AL.

Examiner

Art Unit

Rodney G. McDonald

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment field 1-11-05.
2. ☒ The allowed claim(s) is/are 1-26 and 28-56.
3. ☒ The drawings filed on 12 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/30/04, 11/17/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RODNEY G. McDONALD
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey Kurin on January 19, 2005.

The application has been amended as follows:

Claim 6, line 3, change "planer" to "planar".

Claim 6, line 8, change "a that" to "that a".

Claim 32, line 2, delete the word "upstanding".

Claim 33, line 6, change "planer" to "planar".

Claim 38, line 2, delete the word "upstanding".

Claim 49, line 3, change "planer" to "planar".

Claim 53, line 2, change "planer" to "planar".

Claim 54, line 2, change "planer" to "planar".

Claim 55, line 5, change "outlet" to "inlet".

Claim 56, line 4, change "generation" to "generator".

It should be noted that Claims 57-63 were never considered in the case and are not required to be cancelled in this Amendment since the previous Amendment adding Claims 57-63 was not entered by the Examiner. The Examiner considers only that claims 1-26 and 28-56 are pending.

Also at Paragraph 0001, line 10, insert the phrase "now U.S. Pat. 6,544,485" after "2001". This updates the status of the application mentioned on this line.

Also at Paragraph 0001, line 15, insert the phrase "now U.S. Pat. 6,713,026" after "2000". This updates the status of the application mentioned on this line.

Also update the status of the Applications relied on for priority

The following is an examiner's statement of reasons for allowance:

Claims 1-5, 15, 16, 32 and 39-41 are allowable over the prior art of record because the prior art of record does not teach an air transporter-conditioner device as claimed including wherein the air inlet and the air outlet are configured such that a user looking into the housing between the air inlet louvers can see through the housing and out of the air outlet, and a user looking into the housing between the air outlet louvers can see through the housing and out of the air inlet and a germicidal device located in the housing such that a user looking into the housing between the air inlet louvers or the air outlet louvers can not see the germicidal device, which germicidal device can emit radiation in order to reduce the amount of microorganisms in the air passing through the housing.

Claims 6-14, 17-20 and 42-44 are allowable over the prior art of record because the prior art of record does not teach a stand-alone air transporter-conditioner device as claimed having a housing having an air inlet with air inlet louvers and an air outlet with air outlet louvers, wherein the air inlet louvers and air outlet louvers are planar so as to not significantly impede air entering and exiting the air inlet and the air outlet; a germicidal device located in the housing such that a user looking into the housing

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between the air inlet louvers or the air outlet louvers can not see the germicidal device, which germicidal device can emit radiation in order to reduce the amount of microorganisms in the air passing through the housing; and wherein the air outlet louvers, and the at least one electrode, are all elongated in substantially the same direction.

Claims 21-26, 28-31 and 45-47 are allowable over the prior art of record because the prior art of record does not teach an air transporter and conditioner device as claimed including an upstanding housing having an air inlet and an air outlet configured such that a user looking into the air inlet can see through the housing and out of the air outlet, and a user looking into the air outlet can see through the housing and out of the air inlet and a germicidal device located in the housing such that no radiation emitted directly from the germicidal device can exit the air outlet or the air inlet.

Claims 33-38 are allowable over the prior art of record because the prior art of record does not teach an air transporter and conditioner as claimed including a vertical elongated housing having an air inlet and an air outlet configured such that a user looking into the air inlet can see through the housing and out of the air outlet, and a user looking into air outlet can see through the housing and out of the air inlet at least the air outlet having a plurality of planar vertical elongated outlet louvers; and an ion generator positioned in the housing, and the ion generator creating an airflow from the air inlet and the air outlet; and the ion generator including a vertical elongated particle collector electrode.

Claims 48-54 are allowable over the prior art of record because the prior art of record does not teach an air conditioner device as claimed including an upstanding housing having an air inlet and an air outlet configured such that a user looking into the air inlet can see through the housing and out of the air outlet, and a user looking into the air outlet can see through the housing and out of the air inlet, an ion generator positioned in the housing, the ion generator including an emitter electrode, a collector electrode and a high voltage generator to provide a high voltage potential difference between the emitter electrode and the collector electrode; and a germicidal lamp located in the housing such that no radiation emitted directly from the germicidal lamp can exit the air outlet or the air inlet.

Claim 55 is allowable over the prior art of record because the prior art of record does not teach an air conditioner device as claimed including a freestanding portable housing having an air inlet with air inlet louvers and an air outlet with air outlet louvers, wherein the air inlet and the air outlet are configured such that a user looking into the housing between the air inlet louvers can see past the inlet louvers and into the housing, and a user looking into the housing between the air outlet louvers can see past the outlet louvers and into the housing, and a user looking into the housing between the air outlet louvers can see past the outlet louvers and into the housing; an ion generator positioned in the housing, the ion generation including an emitter electrode, a collector electrode, and a high voltage generator to produce a high voltage potential difference between the emitter electrode and the collector electrode; and a germicidal lamp to irradiate air flowing between the air inlet and the air outlet, wherein the germicidal lamp

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is located in the housing such that a user looking into the housing between the air inlet louvers or the air outlet louvers can not see the germicidal lamp.

Claim 56 is allowable over the prior art of record because the prior art of record does not teach a freestanding portable housing having an air inlet with air inlet louvers and an air outlet with air outlet louvers; an ion generator positioned in the housing, the ion generator including a emitter electrode, a collector electrode, and a high voltage generator to produce a high voltage potential difference between the emitter electrode and the collector electrode; and a germicidal lamp to irradiate air flowing between the air inlet and the air outlet; wherein the air outlet is configured such that a user looking into the housing between the air outlet louvers can see at least one of the emitter and collector electrodes; and wherein the germicidal lamp is located in the housing such that a user looking into the housing between the air inlet louvers or the air outlet louvers can not see the germicidal lamp.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
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RM
January 20, 2004